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## NOTICE OF ALLOWANCE AND FEE(S) DUE

23117 7590 05/19/2009

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

RADA, ALEX P

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 05/19/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/697,939

10/31/2003

Toshiaki Suzuki

723-1448

8931

TITLE OF INVENTION: GAME SYSTEM AND GAME PROGRAM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	08/19/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

23117 7590 05/19/2009

**NIXON & VANDERHYE, PC**  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/697,939 10/31/2003 Toshiaki Suzuki 723-1448 8931

TITLE OF INVENTION: GAME SYSTEM AND GAME PROGRAM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 08/19/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
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RADA, ALEX P 3714 463-032000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,939	10/31/2003	Toshiaki Suzuki	723-1448	8931
23117	7590	05/19/2009	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			RADA, ALEX P	
			ART UNIT	PAPER NUMBER
			3714	
DATE MAILED: 05/19/2009				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 775 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 775 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/697,939	SUZUKI, TOSHIAKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	ALEX P. RADA	3714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 04 March 2009.
2. ☒ The allowed claim(s) is/are 1-7,12-18,20-26,31-37 and 46-57.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|---|

/Peter DungBa Vo/  
Supervisory Patent Examiner, Art Unit 3714

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## **DETAILED ACTION**

### ***Response to Amendment***

In response to Request for Continued Examination filed 04 March 2009 wherein applicant submits correction to the abstract, amends claim 1, 20, 46, 49 and claims 1-7, 12-18, 20-26, 31-37 and 46-57 are pending in this application.

The examiner notes that claims 52-57 were not addressed in the previous office because the supplemental amendment was not present in the system at the time the final office action was mailed. Claim 52-57 will be addressed in the present office action.

## **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William G. Niessen (Reg. No. 29,683) on 07 May 2009.

The application has been amended as follows:

In claim 3, line 2, delete the word "the" between wherein and object and insert the word --an-- between the words wherein and object.

In claim 3, line 2, insert the phrase --to be displayed-- between the words object and is.

In claim 4, line 1, delete the word "the" between wherein and object and insert the word --an-- between the words wherein and object.

In claim 4, line 1, insert the phrase --to be displayed-- between the words object and is.

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In claim 14, line 2, delete the word “the” between of and object and insert the word --an-- between the words of and object.

In claim 22, line 1, delete the word “the” between the words wherein and object and insert the phrase --a displayed-- between the words wherein and object.

In claim 23, line 1, delete the word “the” between the words wherein and object and add the phrase --a displayed-- between the words wherein and object.

In claim 33, line 2, delete the word “the” between the words of and object.

In claim 34, line 1, delete the number “32” between the words claim and further and insert the number 33 between the words claim and further.

In claim 52, lines 6 to 7, delete the comas in lines 4 to 7.

In claim 52, line 5, delete the word “and”.

In claim 52, line 13, delete the word “side” between the words plane's and the word and, then insert the word --underside-- between the words plane's and the word and.

In claim 52, line 14, delete the word “side” between the words plane's and a, then and insert the word --underside-- between the words plane's and a.

In claim 55, lines 4 to 7, delete the comas in lines 4 to 7.

In claim 55, line 14, delete the word “side” between the words plane's and the word and, then insert the word --underside-- between the words plane's and the word and.

The changes made above were authorized by applicant to place the case in condition for allowance.

***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance: The prior art does not disclose nor teach according to independent claims 1, 20, 46 and 49, a game system having two virtual game spaces, a three-dimensional first game space and a two-dimensional second game space; and wherein the two virtual game spaces are separately displayed on a first and second display device; the first display game space represented by a three-dimensional coordinate system; the second display game space represented by a two-dimensional coordinate system; and a coordinate converting programmed logic circuitry which performs a coordinate computing process, in which the three-dimensional coordinates corresponding to a location of an object in the first game space are mathematically projected onto a two-dimensional plan within the first game space that corresponds to as to determine coordinates that are indicative of a location where a shadow of the object would occur on the two-dimensional plane when produced by a light positioned at a predetermined location within the first game space, wherein on the second display a related image, which corresponds to the object in the first game space and which is located at the determined coordinates in the second game space (as illustrated on Figures 6-9).

The closest prior art Miyamoto discloses a game system having two displays, a first display is a three-dimensional virtual game space and a second display is a two-dimensional virtual game space; wherein the three-dimensional game space shows objects from the three-dimensional game space represented on the two-dimensional game space. Miyamoto fails to disclose a conversion process in which the three-dimensional coordinates corresponding to a location of an object in the first game space are mathematically projected onto a two-dimensional plan within the first game space that corresponds to as to determine coordinates that are indicative of a location where a shadow of the

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object would occur on the two-dimensional plane when produced by a light positioned at a predetermined location within the first game space, wherein on the second display a related image, which corresponds to the object in the first game space and which is located at the determined coordinates in the second game space. Regarding claims 2-7, 12-18, 21-26, 31-37 and 46-51 are allowed through there dependency.

In regards to claims 52 and 55, the prior art does not disclose nor teach a game system having two virtual game spaces, a three-dimensional first game space and a two-dimensional second game space; and wherein the two virtual game spaces are separately displayed on a first and second display device; the first display game space represented by a three-dimensional coordinate system; the second display game space represented by a two-dimensional coordinate system; provisionally placing the second object present in the second game space into the first game space at a location on a plane within the first game space that corresponds to a relative position of the second game space with respect to the first space; and displaying on the first display, in accordance with a camera capturing the provisionally placed object from the plane's underside and in accordance with a light illuminating the provisionally placed object from the plane's underside a shadow of the provisionally placed object which is cast on another object in the first game space (as illustrated on Figures 10-14).

The closest prior art Miyamoto discloses a game system having two displays, a first display is a three-dimensional virtual game space and a second display is a two-dimensional virtual game space; wherein the three-dimensional game space shows objects from the three-dimensional game space represented on the two-dimensional game space. Miyamoto fails to disclose provisionally placing the second object present in the second game space into the first game space at a location on a plane



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within the first game space that corresponds to a relative position of the second game space with respect to the first space; and displaying on the first display, in accordance with a camera capturing the provisionally placed object from the plane's underside an in accordance with a light illuminating the provisionally placed object from the plane's underside a shadow of the provisionally placed object which is cast on another object in the first game space. Regarding dependent claims 53-54 and 56-57 are allowed through there dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEX P. RADA whose telephone number is (571)272-4452. The examiner can normally be reached on Monday - Thursday, 09:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/A. P. R./  
Examiner, Art Unit 3714

/Peter DungBa Vo/  
Supervisory Patent Examiner, Art Unit 3714